

Governance Policy Framework

Policy

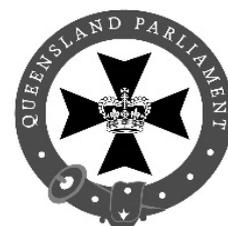
Public Interest Disclosure Policy

Final

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Public



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Document Version and Change Log

Version	Date	Prepared / Modified by	Changes	Approved by
1	November 2019	Michael Ries	New policy format. Updated to reflect new PID Standards and materials by the Queensland Ombudsman.	
2	October 2021	Michael Ries	Annual review.	
3	October 2022	Rebecca Meehan	Changes to the PID Coordinator role.	

Contact for enquiries and proposed changes

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Public Interest Disclosure Policy

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Acknowledgement

This document includes material from the following sources:

[The Queensland Ombudsman: public interest disclosure resources](#)

Information Security

The document has been classified using the Queensland Parliamentary Service Information Security Classification (PSISC) as PUBLIC and will be managed according to the requirements of the PSISC.

Purpose and Authority

A public interest disclosure (PID) is a disclosure about wrongdoing in the public sector that serves the public interest. The *Public Interest Disclosure Act 2010 (Qld)* (the Act) specifies the type of information which may be disclosed as a PID, and who may disclose it.¹

The Act encourages the disclosure of information about suspected wrongdoing in the public sector so that:

- public sector organisations can better identify wrongdoing
- suspected wrongdoing can be properly evaluated and investigated
- action can be taken to fix problems, and
- systems that can reduce the risk of wrongdoing can be implemented.

Public sector entities, including the Parliamentary Service, have an obligation under the Act and the related standards issued by the Queensland Ombudsman (PID Standards) to ensure reasonable policies and procedures are in place to deal with PIDs.²

The purpose of this policy is to provide an overview of the requirements under the Act and set out the responsibilities of the Parliamentary Service and its employees in regard to PIDs.

Applicability

This policy applies to all Queensland Parliamentary Service employees, including Electorate Office staff, and any external person making a PID to the Parliamentary Service about the Parliamentary Service. This policy should be read in conjunction with the [Public Interest Disclosure Procedure](#).

A Member of Parliament and a Parliamentary Committee are also proper authorities to receive a PID. If a purported PID is received by a committee the steps to be followed are set out in the Committee Office Manual.

Policy Statement

The Parliamentary Service is committed to fostering an ethical, transparent culture.

In pursuit of this, the Parliamentary Service values the disclosure of information about suspected wrongdoing in the public sector so that it can be properly assessed and, if necessary, appropriately investigated and dealt with.

The Parliamentary Service will provide support to an employee or others who make disclosures about matters in the public interest, as outlined in the PID Procedure. This policy and the PID Procedure

¹ *Public Interest Disclosure Standard No. 1/2019* defines 'wrongdoing' as conduct or other matter as defined at section 12(1) and section 13(1) of the *Public Interest Disclosure Act 2010*. Examples of wrongdoing any person might disclose include substantial and specific danger to the health or safety of a person with a disability, or to the environment. Examples of wrongdoing a public officer might disclose include corrupt conduct or maladministration.

² *Public Interest Disclosure Standard No. 1/2019* – Public Interest Disclosure Management Plan, *Public Interest Disclosure Standard No. 2/2019* – Assessing, Investigating and Dealing with Public Interest Disclosures, and *Public Interest Disclosure Standard No. 3/2019* – Public Interest Disclosure Data Recording and Reporting.



demonstrate this commitment and ensure that practical and effective procedures are implemented which comply with the requirements of the Act.

The Deputy Clerk is responsible for the implementation of this policy and the Public Interest Disclosure Procedure.

Policy Benefits

This policy is designed to assist the Parliamentary Service to:

- promote the public interest by facilitating public interest disclosures of wrongdoing
- ensure that PIDs are properly assessed and, where appropriate, properly investigated and dealt with
- ensure appropriate consideration is given to the interests of persons who are the subject of a PID, and
- ensure protection from reprisal is afforded to persons making PIDs.

Policy requirements

Policy requirement 1: Reasonable procedures to deal with PIDs

The Clerk, as chief executive officer, will implement procedures to ensure that:

- any public officer, or other person, who makes a PID is given appropriate support
- PIDs made to the Parliamentary Service are properly assessed and, where appropriate, properly investigated and dealt with
- appropriate action is taken in relation to any wrongdoing which is the subject of a PID
- a management program for PIDs made to the Parliamentary Service, consistent with the PID Standards, is developed and implemented
- public officers who make PIDs are offered protection from reprisal by the Parliamentary Service or other public officers of the Parliamentary Service.³

The Parliamentary Service Public Interest Disclosure Procedure is available for public viewing at <https://www.parliament.qld.gov.au/global/parliamentary-service>.⁴ The Public Interest Disclosure Procedure will be reviewed annually and updated as required to ensure it meets the requirements of the Act and the PID Standards.

Policy requirement 2: PID management program

The Clerk, as chief executive officer, has overall responsibility for ensuring that the Parliamentary Service develops, implements and maintains a PID management program.⁵

The Parliamentary Service PID management program encompasses:

- a commitment to encouraging the internal reporting of wrongdoing

³ Section 28(1) of the Act.

⁴ Section 28(2) of the Act.

⁵ Section 28(1)(d) of the Act.



- senior management endorsement of the value to the Parliamentary Service of PIDs and the proper management of PIDs
- a communication strategy to raise awareness among employees about PIDs and the Parliamentary Service's PID procedure
- a training strategy to give employees access to training about how to make a PID, information on the support available to a discloser, and advice on how PIDs will be managed
- specialist training and awareness about PIDs for senior management and other staff who may receive or manage PIDs, disclosers or workplace issues relating to PIDs
- the appointment of a specialist officer to be responsible for issues related to the management of PIDs
- ensuring effective systems and procedures are in place so that issues and outcomes from PIDs inform improvements to service delivery, business processes and internal controls, and
- regular review of the Public Interest Disclosure Procedure and evaluation of the effectiveness of the PID management program.

The specialist officer responsible for issues related to PIDs ('the PID Coordinator') is the Deputy Clerk. Additional details on the role of the PID Coordinator are set out in the Public Interest Disclosure Procedure.

Policy requirement 3: Recording and reporting

The Queensland Ombudsman has responsibility for oversight of PIDs across the Queensland public sector.⁶

The Parliamentary Service is required to keep records of PIDs reported or referred to it in accordance with the Act and the PID Standards.⁷ In addition to keeping internal records of PIDs, the Parliamentary Service is also required to report data about PIDs to the Queensland Ombudsman via the RaPID ('Report a PID') database.⁸

The PID Coordinator is responsible for:

- recording and reporting on PIDs through the Clerk, notifying members of the Parliamentary Service's Executive Management Group as required
- ensuring compliance with PID statistical reporting requirements under the Act and PID Standards, and
- secure and confidential storage of PID documentation.

Implementation Advice

Responsibilities of executive management, managers and supervisors

A PID can be made to an officer who has a supervisory or managerial role within the entity.⁹ Therefore, it is the responsibility of executive management, managers and supervisors to be informed of their obligations under the Act, this policy and the Parliamentary Service Public Interest Disclosure Procedure.

⁶ Section 58 of the Act.

⁷ Section 29 of the Act; *Public Interest Disclosure Standard No. 3/2019* – Public Interest Disclosure Data Recording and Reporting.

⁸ *Public Interest Disclosure Standard No. 3/2019* – Public Interest Disclosure Data Recording and Reporting (section 3.2.1 sets out the mandatory data that must be reported).

⁹ Section 17(3)(d) of the Act.



Additionally, executive management, managers and supervisors are responsible for maintaining an ethical culture and leading by example through:

- providing clear guidance to staff on how to handle complex issues which may involve misconduct, while maintaining confidentiality and natural justice
- ensuring that employees in their service area are aware of their obligations in relation to the requirements of this policy and the Public Interest Disclosure Procedure
- monitoring the workplace for signs of reprisal against a discloser or an employee who is the subject of a PID under the principles of natural justice, and
- ensuring that, if PID allegations are substantiated, investigation recommendations are implemented quickly to reduce the risk of re-occurrence.

Responsibilities of employees

Employees are responsible for:

- complying with this policy, the Parliamentary Service Public Interest Disclosure Procedure and the Code of Conduct for the Parliamentary Service
- reporting their concerns about suspected misconduct, wrongdoing or unethical behaviour in accordance with this policy and the Public Interest Disclosure Procedure, and
- participating in Parliamentary Service PID and Code of Conduct training.

Related Information

Staff should refer to the following documents for further information:

- [Parliamentary Public Interest Disclosure Procedure](#)
- [Code of Conduct for the Parliamentary Service](#)
- [Complaints about the Clerk of the Parliament: Section 48A of the Crime and Corruption Act 2001](#)
- [Public Interest Disclosure Standard No. 1/2019 – Public Interest Disclosure Management Plan](#)
- [Public Interest Disclosure Standard No. 2/2019 – Assessing, Investigating and Dealing with Public Interest Disclosures](#)
- [Public Interest Disclosure Standard No. 3/2019 – Public Interest Disclosure Data Recording and Reporting \(collectively, the PID Standards\)](#)
- [Disclosure Fact sheet 1: What is a disclosure](#)
- [Disclosure Fact sheet 2: Checklist for making a disclosure](#)
- [Disclosure Fact sheet 3: Discloser information and support](#)
- [Public Interest Disclosure Act 2010 \(Qld\)](#)
- [Crime and Corruption Act 2001 \(Qld\)](#)
- [The Public Sector Ethics Act 1994 \(Qld\)](#)
- [Ombudsman Act 2001 \(Qld\)](#)



Definition of terms

<i>Term</i>	<i>Definition</i>
<i>Natural justice</i>	<p><i>Natural justice, also referred to as ‘procedural fairness’ applies to any decision that can affect the rights, interests or expectations of individuals in a direct or immediate way. Natural justice is at law a safeguard applying to an individual whose rights or interests are being affected.</i></p> <p><i>The rules of natural justice, which have been developed to ensure that decision-making is fair and reasonable, are:</i></p> <ul style="list-style-type: none"> • <i>avoid bias</i> • <i>give a fair hearing</i> • <i>act only on the basis of logically probative evidence.</i>
PID Coordinator	<p>Deputy Clerk</p> <p>(Mr Michael Ries, Michael.Ries@parliament.qld.gov.au, 07 3553 6610)</p>
PID Standards	<p>Public Interest Disclosure Standard No. 1/2019 – Public Interest Disclosure Management Plan</p> <p>Public Interest Disclosure Standard No. 2/2019 – Assessing, Investigating and Dealing with Public Interest Disclosures</p> <p>Public Interest Disclosure Standard No. 3/2019 – Public Interest Disclosure Data Recording and Reporting</p>
Public interest disclosure	A disclosure about wrongdoing in the public sector that serves the public interest.
Public sector entities	See section 6 of the Public Interest Disclosure Act 2010 (Qld) . Public sector entities include committees of the Legislative Assembly and the parliamentary service.
Reprisal	See section 40 of the Public Interest Disclosure Act 2010 (Qld) . Reprisal includes, for example, intimidation, harassment and damage to reputation.
Wrongdoing	Conduct or other matter as defined at section 12(1) and section 13(1) of the Public Interest Disclosure Act 2010 (Qld) .
The Act	Public Interest Disclosure Act 2010 (Qld)

